

Message Text

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44

ACTION OES-05

INFO OCT-01 ARA-06 EUR-12 EA-07 IO-11 ISO-00 SSO-00 NSCE-00

USIE-00 INRE-00 CIAE-00 DODE-00 PM-04 H-02 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 ACDA-05

EB-07 NRC-05 FEAE-00 IOE-00 /099 W
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O 201808Z FEB 76

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC IMMEDIATE 7123

INFO AMEMBASSY BONN IMMEDIATE

AMEMBASSY BRASILIA IMMEDIATE

USMISSION EC BRUSSELS IMMEDIATE

AMEMBASSY LONDON IMMEDIATE

AMEMBASSY MOSCOW IMMEDIATE

AMEMBASSY PARIS IMMEDIATE

AMEMBASSY TOKYO IMMEDIATE

USERDA GERMANTOWN IMMEDIATE

AMEMBASSY OTTAWA IMMEDIATE

C O N F I D E N T I A L IAEA VIENNA 1372

EO 11652: GDS

TAGS: IAEA, TECH, PARM, GW, BR

SUBJECT: FRG/BRAZIL/IAEA SAFEGUARDS AGREEMENT

DEPT PASS IO/SCT

TOKYO FOR SCICOUNS

1. DEVELOPMENTS RELATED TO BOARD OF GOVERNORS ACTION
ON SUBJECT AGREEMENT ARE AS FOLLOWS:

2. UK VIEWS: UK RESREP SLATER TELLS US THAT
JOHN THOMSON, DURING VISIT TO BONN EARLIER THIS WEEK,

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EXPRESSED CONCERN OVER SOME PROVISIONS OF SUBJECT

AGREEMENT, BUT PROMISED "NO OPPOSITION".

3. CANADIAN VIEWS: MISSION HAS BEEN GIVEN COPY OF AIDE MEMOIRE WHICH CANADIAN AMBASSADOR BEESLEY GAVE FRG RESREP HOFFMAN FRIDAY MORNING. (BEESLEY TELLS US AIDE MEMOIRE BEING PROVIDED TO WASHINGTON). AIDE MEMOIRE POINTS TO SOME APPARENT INCONSISTENCIES BETWEEN SUBJECT AGREEMENT AND SUPPLIER GUIDELINES, AND SAYS, IN VIEW OF THESE "WEAK" PROVISIONS, AGREEMENT "SHOULD BE RECONSIDERED BY THE TWO PARTIES...FOR SUBMISSION TO THE NEXT BOARD MEETING". BEESLEY LATER TOLD AMB. TAPE THAT FRG HAD CLARIFIED SOME OF THE SPECIFIC POINTS.

4. FRG POSITION: NEW FRG RESREP HOFFMANN, ACCOMPANIED BY FREYTAG AND VON WAGNER (FRG FOREIGN OFFICE), CALLED ON MISSION (TAPE, STONE, LABOWITZ, BORIGHT) FRIDAY MORNING TO SUMMARIZE FRG POSITION. HOFFMAN SAID BONN IS DISAPPOINTED THAT THEY HAVE HEARD NO EXPRESSION OF ACTIVE SUPPORT FROM U.S.

A. HOFFMAN SAID BONN HAD BEEN APPROACHED BY FRENCH WHO HAVE SAID THERE HAS BEEN SUGGESTION (BY UNIDENTIFIED THIRD PARTY) THAT FRANCE/PAKISTAN/IAEA SAFEGUARDS TRILATERAL BE BROUGHT CLOSER TO SUPPLIER GUIDELINES. FRANCE WAS CONSIDERING THIS, AND SUGGESTED FRG DO SAME FOR FRG/BRAZIL/IAEA AGREEMENT. FRG IS THEREFORE CONSIDERING SOME CHANGE IN DEFINITION OF STARTING POINT OF 20 YEAR "CONCLUSIVE PRESUMPTION" PERIOD (ARTICLE 3.2). BY TUESDAY FRG WILL HOPEFULLY HAVE SOME FLEXIBILITY ON THIS PROVISION.HH

B. EXCEPT FOR THIS CHANGE, VON WAGNER SAID BONN IS DETERMINED TO ACCEPT NO WORDING CHANGES, AND TO ACCEPT NO DELAY IN APPROVAL OF SUBJECT AGREEMENT. HOFFMAN HAS INSTRUCTIONS NOT RPT NOT TO APPROACH SOVIETS..

C. RE NOTIFICATION TO IAEA OF FACILITIES CONSTRUCTED USING SUPPLIED TECHNOLOGY, FRG NOTES THEIR AGREEMENT CONFIDENTIAL

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IS RECIPROCAL, AND FRG WILL NOT ACCEPT BRAZILAIN RIGHT TO PUT FRG FACILITIES ON INVENTORY.

D. RE ARTICLE 29, VON WAGNER SAID BONN WAS WORKING ON CLARIFYING STATEMENT WHICH SHOULD SATISFY SOVIETS THAT THERE IS NO "LOOPHOLE" IN THE PERIOD UNTIL IAEA/EURATOM AGREEMENT COMES INTO EFFECT.

E. WHEN QUESTIONED ON POSSIBLE 20 PERCENT LIMITATION ON ENRICHMENT LEVEL PRODUCED AT SUPPLIED ENRICHMENT PLANT, FRG REPS SAID QUESTION HAS NOT ARISEN WITH BRAZIL. SUPPLIER GUIDELINES WILL BE INCORPORATED INTO FRG EXPORT REGULATIONS, AND EXPORT LICENSE WOULD NOT BE ISSUED WITHOUT "LESS THAN 20 PERCENT" GUARANTEE. U.S. REPS RAISED QUESTION OF WHETHER, IF ISSUE CAUSED NEITHER FRG NOR BRAZIL PROBLEMS, SOME STATEMENT OF INTENTION TO PRODUCE ONLY LOW-ENRICHED URANIUM MIGHT NOT HELP TO REMOVE THIS AS POTENTIAL ISSUE AT BOARD.

5. IN SUBSEQUENT LUNCH HOSTED BY DK EKLUND, SOVIET AMBASSADOR EROFEEV (AT INFORMAL SUGGESTION OF AMB. TAPE) APPROACHED RESREP HOFFMANN TO DISCUSS MATTER. ACCORDING TO HOFFMAN EROFEEV LISTED THE 20 YEAR PROBLEM, ARTICLE 29, "FACILITIES" QUESTION IN THIRD PREAMBULATORY PARA, AND BERLIN QUESTION. HOWEVER, HE SAID HE DID NOT INTEND TO BE OBSTRUCTIONIST, AND IF CONCERNS COULD BE MET, AGREEMENT COULD BE APPROVED. RE BERLIN, SOVIETS INTEND ONLY BRIEF PRO-FORMA COMMENT FOR THE RECORD. EROFEEV SAID SOVIET MISOFF WILL CALL FREYTAG MONDAY MORNING TO DISCUSS SPECIFICS ON ABOVE POINTS, THUS ALLOWING BONN TIME TO REACT TO HOFFMAN'S REPORTING MESSAGE.

6. IN LIGHT OF ABOVE, MISSION IS MODERATELY OPTIMISTIC THAT SOLUTIONS TO SOVIET AND CANADIAN CONCERNS WILL BE FOUND BY TUESDAY BOARD OF GOVERNORS MEETING. WE EXPECT SUCH SOLUTIONS TO BE IMPROVEMENTS FROM U.S. POINT OF VIEW. WE WILL PARTICIPATE AS APPEARS TO BE HELPFUL IN WORKING OUT CONFIDENTIAL

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SUCH SOLUTIONS. MISSION RECOMMENDS WE BE AUTHORIZED TO SUPPORT CONCENSUS. TAPE

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